



## Texas Inmate Families Association

*Strengthening families through support, education and advocacy*

### High Prison Phone System Commissions at the Expense of Texas Families

The Texas Department of Criminal Justice (TDCJ) receives significant kickbacks from prison phone service providers, while families struggle with the high costs of communicating with their loved ones. The recent contract with Embarque Payphone Services, Inc. provides a commission of **at least 40% of gross revenues**.<sup>1</sup> These commissions give the contractors exclusive, monopolistic contracts for prison phone services.

In State Fiscal Year 2017 this agreement amounted to over **\$19 million in commission** revenues for TDCJ.<sup>2</sup>

- \$14.5 million of it went to the Victims of Crime fund
- The remaining \$4.5 million went to the State General Revenue fund

In 2016 the Federal Communications Commission (FCC) set a cap on interstate rates on prepaid calls as the following:<sup>3</sup>

- State or federal prisons: \$0.13 per minute
- Jails with 1,000 or more inmates: \$0.19 per minute
- Jails with 350-999 inmates: \$0.21 per minute
- Jails of up to 349 inmates: \$0.31 per minute

This does not help intrastate calls however, and the prices for prepaid calls in the TDCJ-Embarque contract are:

- \$0.234 per minute for local and intrastate calls
- \$0.26 per minute for local and intrastate prepaid collect calls

\*almost \$4 for each 15-minute phone call\*

This system is effectively a regressive tax on incarcerated persons and their families, who are already known to have lower incomes than families who don't have justice involvement. Data from the Bureau of Justice Statistics show that incarcerated people had a median annual income of \$15,109 prior to their incarceration, which is less than half (48%) of the median for non-incarcerated people of similar ages, and many justice-involved families fall below the poverty line.<sup>4</sup>

Criminological research undeniably demonstrates that increased communication with family during incarceration reduces the risk of recidivism.<sup>5</sup> A recent survey found phone and visitation costs to be the top barrier for families trying to stay in touch during incarceration.

- More than **1 in 3 people surveyed went into debt** to cover phone and visitation costs.<sup>6</sup>

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<sup>1</sup> Contract initiated in 2008

<sup>2</sup> Open Records Request information from TDCJ dated April 9, 2018

<sup>3</sup> FCC news release dated August 4, 2016

<sup>4</sup> Prison Policy Initiative, 2016 (income based on 2015 dollars)

<sup>5</sup> Prison Policy Initiative report, 2012

<sup>6</sup> Prison Policy Initiative report, 2015